

Village of Lansing

MINUTES of a meeting of the Board of Trustees of the Village of Lansing held on Monday, July 20, 2009, in the Village Office.

Present: Mayor Donald Hartill; Trustees Larry Fresinski, Lynn Leopold, John O'Neill, Julie Baker; Attorney David Dubow;

Mayor Hartill called the meeting to order at 7:32 P.M. and opened the public comment period.

There was no public comment.

Motion-To Close the Public Comment Period

Trustee O'Neill moved to close the public comment period. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-Aye
Trustee Julie Baker-Aye

Trustee Larry Fresinski -Aye
Trustee Lynn Leopold-Aye

Don had emailed the Trustees the following explanation of how we got to this point in time with respect to the proposed bond resolution below regarding the SCLIWC Intermunicipal Agreement/Bolton Road Project:

Bolton Road History

In 1967, the Town of Lansing entered into an Agreement with Mrs. Lucie Bolton and her successors. A portion of this Agreement obligated the Town of Lansing to complete construction of a roadway known as Bolton Road. This obligation was in exchange for a 50 foot wide roadway easement from NYS Route 34 to the shore of Cayuga Lake and a 100 foot wide parcel of land along the shore of Cayuga Lake. At the time, the Town of Lansing was proposing to construct its own water supply and treatment facility. This obligation was accepted by the municipalities that formed the Southern Cayuga Lake Intermunicipal Water Commission (SCLIWC) through the agreement of municipal cooperation (AMC). By quitclaim the Town of Lansing conveyed Bolton Road to the five municipalities.

The version of the AMC that finalized the Village of Lansing as the fifth party of the SCLIWC obligated the Village of Lansing to accept conveyance of Bolton Road after January 1, 1985. Additionally, the AMC obligated the Village of Lansing to maintenance and plowing responsibilities for Bolton Road after this date.

Mrs. Lucie Bolton passed away. Her successor was Mrs. Ethel Wilkinson. Mr. Edward Y. Crossmore commenced a lawsuit on behalf of his aunt, Mrs. Wilkinson, in

1979 requesting the court to direct the Commission to perform per the 1967 Agreement or pay \$150,000 in damages plus litigation costs. This lawsuit was not acted on.

Mrs. Wilkinson passed away in 1983. In 1984 the interest in the property was conveyed to six individuals, including Mr. Crossmore. Over the years, several attempts were made to resolve the road construction issue with Mr. Crossmore. In 2004, Mr. Crossmore and the other owners filed for substitution in the action against the Commission that was commenced in 1979. Following this, the Commission and the member municipalities filed suit against Mr. Crossmore arguing that the statute of limitations for substitution had expired. In February of 2005, Judge Mulvey ruled against the Commission. Following that, the Commission filed an appeal with the 3rd Appellate Division of the New York State Supreme Court. As part of the appeal process, the Commission was ordered to try to negotiate a reasonable settlement with Mr. Crossmore. The negotiations were presided over by a former Supreme Court Judge.

Noted at the beginning of the negotiations, as had been long known, it was impossible to construct the road along the existing roadway since the slope along some areas of the roadway were too steep to meet Village of Lansing road standards. The only means to construct the road down to the raw water pump station would be to construct a series of switchbacks in the area where the slope of the road exceeded Village standards. This was estimated to cost upwards of \$3,000,000.00. In lieu of constructing the road along the existing roadway, Mr. Crossmore proposed construction of what is now termed the loop road. The loop road would follow the original roadway until it reached the portion of the road with too steep a slope, and it then would head northerly to the north side of Mr. Crossmore's subdivision and then head easterly connecting back to NYS Route 34. The Commission agreed to construct this road and that led to the June 2006 Stipulation and Settlement Agreement under which the Commission is currently constructing the road.

David Dubow also provided some further background as to the past history of this matter and an explanation of the proposed bond resolution and the procedural requirements associated with its adoption.

Resolution #5555-To Authorize the Issuance \$750,000 Joint Serial Bonds of the Village of Lansing, the Village of Cayuga Heights and the Towns of Lansing, Ithaca and Dryden, All In the County of Tompkins, New York, to Pay the Cost of the Village's Share of a Stipulation and Settlement Agreement.

WHEREAS, the Board of Trustees of the Village of Lansing, Tompkins County, New York, in conjunction with the Village of Cayuga Heights, and the Towns of Lansing, Dryden, and Ithaca, has heretofore determined and agreed to participate in the provision of a joint water project and to contract joint indebtedness therefor in accordance with Section 15.00 of the Local Finance Law pursuant to an Agreement of Municipal Cooperation for Construction, Financing and Operation of an Inter-

Municipal Water Supply and Transmission System (the “Intermunicipal Agreement ”); and

WHEREAS, the project hereinafter described has been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, it has been determined will not result in any significant environmental effects; and

WHEREAS, all other conditions precedent to the financing of the capital project hereinafter described, have been performed; and

WHEREAS, it is now desired to authorize the financing of such capital project; NOW, THEREFORE, BE IT

RESOLVED, by the Board of Trustees of the Village of Lansing, Tompkins County, New York, if the within resolution in substantially identical form is adopted, approved and made effective by the other participants in the aforescribed Intermunicipal Agreement as follows:

Section 1. For the specific object or purpose of paying the cost of (i) the reconstruction of the existing road; and (ii) and construction of new extension thereto at Bolton Point to be known as Bolton Road pursuant to a Stipulation and Settlement Agreement in settlement of the matter of **Crossmore v. Town of Ithaca, Town of Lansing, Town of Dryden, Village of Lansing, Village of Cayuga Heights and Southern Cayuga Lake Intermunicipal Water Commission**, Index No. 04-0752, Supreme Court, County of Tompkins in accordance with Opinions of the State Comptroller 82-354, 86-43 and 86-87 and Opinions of the Attorney General Inf. 81 (1968), such cost being in addition to that to be paid with \$600,000 reserve fund monies of the Southern Cayuga Lake Intermunicipal Water Commission and thus constituting the maximum estimated cost to this municipality, being a maximum estimated cost of \$750,000, there are hereby authorized to be issued \$750,000 joint serial bonds of the Village of Lansing, Tompkins County, New York, together with the Towns of Ithaca, Dryden and Lansing and the Village of Cayuga Heights, all of the County of Tompkins, New York, pursuant to the provisions of Section 1 of Article VIII of the Constitution of the State of New York as amended and of Title 1A of the Local Finance Law.

Section 2. It is hereby determined that the plan for the financing of said specific object or purpose is by the issuance of the \$750,000 joint serial bonds authorized to be issued pursuant to this bond resolution. The total amount of joint indebtedness to be contracted for said improvements is \$750,000 and the amount initially estimated to be allocated and apportioned to the Village of Lansing is \$143,475.

Section 3. For the purposes of Section 15.10 of the Local Finance Law relating to the allocation of joint indebtedness, the amount of joint indebtedness to be apportioned and allocated to each of said Towns and Villages, shall be in the same proportion as the consumption of water in each of the Towns of Dryden, Ithaca, and Lansing and the Villages of Cayuga Heights and Lansing shall bear to the total

consumption of water for the entire joint water distribution facility, which is estimated to be, and for purposes of determining gross indebtedness of each of said municipalities in their respective debt statements pursuant to Section 15.10 of the Local Finance Law and therefore the amount to be allocated for the purpose of ascertaining each of the respective municipalities' debt contracting powers, shall be as follows:

Dryden	\$ 27,975	3.73%
Ithaca	\$392,925	52.39%
Lansing (Town)	112,500	15.48%
Cayuga Heights	69,525	9.27%
Lansing (Village)	143,475	19.13%

Nothing in this section shall be deemed to be in conflict with or to supersede the provisions of Section 5 of this resolution relating to the annual apportionment of the amount of principal and interest on the bonds herein authorized to be issued as among said Towns and said Villages, nor the manner of collection and payment of the amounts of annual debt service provided to be apportioned annually by said Section 5. The Supervisors of said Towns and the Treasurers of said Villages are hereby authorized to act jointly to make application to the State Comptroller for the allocation and apportionment of said joint indebtedness in accordance with the provisions of this section and to perform all acts and furnish all information required in connection with such application.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is fifteen years, pursuant to subdivision 20(c) of paragraph a of Section 11.00 of the Local Finance Law. It is hereby further determined that the maximum maturity of the serial bonds herein authorized will exceed five years.

Section 5. Subject to the provisions of the Local Finance Law and this section, the power to authorize the issuance of and to sell joint bond anticipation notes in anticipation of the issuance and sale of the joint serial bonds herein authorized, including renewals thereof, is hereby delegated to the Supervisor of the Town of Ithaca, the chief fiscal officer of said Town acting on his own behalf and on behalf of the chief fiscal officers of the Towns of Dryden and Lansing and the Villages of Cayuga Heights and Lansing. Such joint bond anticipation notes shall be of such terms, form and contents and shall be sold by said Supervisor in such manner as may be prescribed by a bond anticipation note certificate, as authorized by Section 30.00 of the Local Finance Law; provided, however, that any bond anticipation notes so issued shall be the joint indebtedness of said Towns and said Villages and shall be executed in the names of the Town of Dryden, the Town of Ithaca, the Town of Lansing and the Village of Cayuga Heights and the Village of Lansing, and shall be signed by the Supervisor of the Town of Dryden on behalf of said Town and shall have affixed thereto the seal of the Town of Dryden, attested by the Town Clerk of said Town; shall be signed by the Supervisor of the Town of Ithaca on behalf of said Town and shall have affixed thereto the seal of the Town of Ithaca, attested by the Town Clerk of said Town; shall be signed by the Supervisor of the Town of Lansing on behalf of said Town and shall have affixed thereto the seal of the Town of Lansing, attested by the Town Clerk of said Town; shall be signed by the Treasurer of the Village of Cayuga Heights on behalf of said Village and shall have affixed thereto the seal of the Village of Cayuga Heights, attested by the

Village Clerk of said Village, and shall be signed by the Treasurer of the Village of Lansing on behalf of said Village and shall have affixed thereto the seal of the Village of Lansing, attested by the Village Clerk of said Village. The chief fiscal officer of the Town of Ithaca to whom is hereby delegated the power to authorize the issuance of and to sell such joint bond anticipation notes, shall file an executed copy of each such bond anticipation note with the finance board of each of the aforesaid municipalities prior to the issuance of the bond anticipation note or notes authorized by such certificate.

Section 6. The faith and credit of said Town of Dryden, Tompkins County, New York; said Town of Ithaca, Tompkins County, New York; said Town of Lansing, Tompkins County, New York; said Village of Lansing, Tompkins County, New York, and said Village of Cayuga Heights, Tompkins County, New York, are hereby jointly pledged for the payment of the principal of and interest on said joint bonds as the same become due and payable. The principal of said joint bonds and the interest thereon shall be apportioned annually among said Towns and said Villages in accordance with the Intermunicipal Agreement hereinabove referred to in the recitals of this resolution, on the ratio which the consumption of water from the system in each of said municipalities bears to the full consumption from the entire inter-municipal water distribution facility, such ratio to be annually determined in accordance with the aforesaid Intermunicipal Agreement, the share of said principal and interest to be borne by the aforesaid Towns, shall be annually assessed, levied and collected within said Towns as follows:

- a) From the several lots and parcels of land in each of the Water District Nos. 1, and Snyder Hill, Monkey Run, Hall Road, Turkey Hill and Royal Road Water Districts of the Town of Dryden, in the manner provided by law.
- b) From the several lots and parcels of land in the existing Town of Ithaca Water Improvement Area in proportion as nearly as may be to the benefit which each lot or parcel of land therein will derive therefrom.
- c) From the several lots and parcels of land in the Consolidated Water District, in the Town of Lansing at the same time and in the same manner as other Town charges.

The Village of Cayuga Heights shall annually levy and collect a tax sufficient to pay the share of said principal and interest to be borne by said Village, as the same may become due and payable, and the Village of Lansing shall annually levy and collect a tax sufficient to pay the share of said principal and interest to be borne by said Village, as the same may become due and payable.

If not paid from the aforesaid sources, all the taxable real property in said Town of Dryden, and all the taxable real property in said Town of Ithaca, and all the taxable real property in said Town of Lansing, and all the taxable real property in said Village of Cayuga Heights, and all the taxable real property in said Village of Lansing shall be jointly subject to the levy of an ad valorem tax, without limitation as to rate or amount sufficient to pay the principal of and interest on said bonds as the same become due and payable.

Section 7. The validity of such joint serial bonds and joint bond anticipation notes may be contested only if:

- 1) Such joint bonds are authorized for an object or purpose for which said Towns and said Villages are not authorized to expend money, or

- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of publication, or
- 3) Such joint bonds are authorized in violation of the provisions of the Constitution.

Section 8. Upon the adoption of this resolution by each of the aforesaid Towns and the aforesaid Villages, and the publication thereof with the notice provided for herein, the Clerks of each such Town and each such Village shall file with the Clerk of each of the other Towns and of the Villages a certified copy of this resolution and a printer's affidavit or affidavits, as the case may be, of publication thereof with the required notice or notices, as the case may be.

Section 9. Pursuant to Section 15.00(m) of the Local Finance Law, the powers and duties of advertising such joint bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Supervisor of the Town of Ithaca, Tompkins County, New York, who on his own behalf and on behalf of the chief fiscal officers of the Towns of Dryden and Lansing and the Villages of Cayuga Heights and Lansing shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as he shall deem best for the interests of the aforesaid Towns and Villages; provided, however, that in the exercise of these delegated powers, he shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of said Supervisor shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money. All other matters except as provided herein relating to the joint serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same shall be determined by the Supervisor of the Town of Ithaca on behalf of the chief fiscal officers of the Towns of Ithaca, Dryden and Lansing and the Villages of Lansing and Cayuga Heights. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as said Supervisor shall determine consistent with the provisions of the Local Finance Law. Such joint serial bonds shall be in fully registered form and shall be signed in the name of each Town and Village by the manual signature of each respective chief fiscal officer and a facsimile of the corporate seal of each Town and Village shall be imprinted thereon and shall be attested by the manual signatures of each respective Town or Village Clerk. It is hereby determined that it is to the financial advantage of each of the Towns and Villages not to impose and collect from registered owners of such joint serial bonds charges for mailing, shipping and insuring bonds transferred or exchanged by the fiscal agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the fiscal agent.

Section 10. Any obligation issued under authority of this resolution shall contain on its face a recital in substantially the following form: "This obligation evidences the joint indebtedness of the Town of Ithaca, Tompkins County, New York, the Town of Dryden, Tompkins County, New York, the Town of Lansing, Tompkins County,

New York, the Village of Lansing, Tompkins County, New York, and the Village of Cayuga Heights, Tompkins County, New York.”

Section 11. Upon this resolution taking effect in and with respect to this Village, and the adoption and taking effect of similar resolutions of the respective Town Boards and Village Boards of Trustees of the aforesaid Towns and Villages, the same shall be published in full in, the official newspaper, together with a notice of the Village Clerk in substantially the form provided in Section 81.00 of the Local Finance Law.

Section 12. This resolution shall take effect immediately.

Larry Fresinski asked about the rate. The rate is not known, but in the neighborhood of 4-5%. Lynn Leopold asked about life expectancy. The 15 year life expectancy enables the payment terms to be paid over that period. The percentages for the shares of financial obligation to be assumed by the SCLIWC member municipalities may change from year to year based on usage.

Trustee Leopold moved this resolution and Trustee Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O’Neill-Aye
Trustee Julie Baker-Aye

Trustee Larry Fresinski -Aye
Trustee Lynn Leopold-Aye

The next item to consider was the proposed resolution that would authorize the Village to enter into an agreement with the Greater Tompkins County Health Care Consortium for NYS Shared Municipal Services Program being undertaken by the Tompkins County Council of Governments (TCCOG).

Dave Sanders, representing the organizers of the Consortium, stated that 11 of 17 communities have signed resolutions to join the consortium and 7 other resolutions are pending. There are currently 2013 contracts from the 11 municipalities that have joined the Consortium. A total of 2000 or more is required. For the Village of Lansing, he said that there would be a projected 4.8% savings in the first year. John O’Neill asked whether there would be a policy for retirees. Dave Sanders responded that it would be possible to carry a retiree as an active participant. If an entity has a program for retirees, then TCCOG would have a corresponding program. The consortium should be thought of as a vehicle for health care insurance. TCCOG has no plans for a Medicare supplement, but they plan to discuss it in the future.

It was asked if it would be possible for a participating member of the Consortium to withdraw. It was explained that there may be some confusion and inconsistency in the proposed Agreement as to the initial 3 year commitment and the right to opt out on an annual basis. There is also a 3-year waiting period to get back in after withdrawal. Dave Sanders will get answers to the questions that and get back to us. TCCOG will be a mirror of all current programs, equal to or better than existing coverage. There was also an inquiry about individual municipalities having policies whereby a cash reimbursement of an agreed upon amount is made to a staff member who may have coverage under his

or her spouse's plan and therefore does not require coverage under the municipal plan. It was not clear what happens in this case, and Dave Sanders again indicated that he will get back to us. The Mayor stated that the Village spends approximately \$40,000 a year on health insurance. Joining TCCOG would represent a savings of \$1500 a year. Dave Sanders reiterated that the Consortium is just the vehicle; the municipality makes the decision regarding which benefits to offer.

At the July 6th meeting John O'Neill distributed a sheet on Retiree Health Insurance for the Board to consider. Our next retiree will be eligible for Medicare in March. He can get Medicare and we can pick up the Medigap expenses. John thinks that it would not cost the Village more than \$200 per month. The employee involved is looking at the options and will provide feedback. Don pointed out that we need to consider the life-time costs; Larry suggested putting a cap on the total value. We have never had a retirement benefit program. The employee in question is the prototypical retiree. John will find out more information for the next meeting.

The next item was to consider the Tompkins County County-wide Evaluation & Planning Study of Water & Sewer. Martha Armstrong of Tompkins County Area Development presented:

Why is this an important study? Housing is on the radar screen for economic development; people have had a hard time finding adequate affordable housing. Housing was an important issue in 2007; a water and sewer study is necessary to provide the infrastructure over the long term. Each municipality knows its own sewer and water situation, but there is no centralized place to find the information. There is a need to determine the next steps for water and sewer infrastructure in conjunction with each community. The study is designed to support regional water and sewer funding requests. It will support each community's future requests for funding.

Trustees raised several questions:

- What was the impact of the 1994 study? It was before Martha's time, but it has been used from time to time. She reported that they looked at it during the 1997 comprehensive plan study. She did not know the impact of the study.
- Where will the study be housed? There will be an official copy somewhere at the county, but there would be copies in several places.
- What about the environmental impact study? Martha did not know.
- Who will do the work? TG Miller is one consultant; also John Anderson and Stearns and Wheeler.
- How long will it take? 6 months total.

- What is the shelf-life of a study like this? She assumes that it will be good for 5 to 10 years. Updates are not included in the proposal for this study.

She said that we need to know how all of the pieces fit together in order to support planning for the development of affordable housing.

Resolution #5556- Endorsement of Memorandum of Understanding and Pledge To Work With Economic Development Collaborative for County-wide Evaluation of Existing Water and Sewer Infrastructure

WHEREAS, the Tompkins County Economic Development Strategy's goals include increasing and diversifying the County's housing supply and revitalizing the County's unique commercial districts and town centers, and

WHEREAS, the Economic Development Collaborative was organized to formalize, strengthen and deepen the cooperation among the many local agencies and municipal bodies addressing economic development issues in the County to make the process more effective through common goals and approach, and

WHEREAS, the Tompkins County Council of Governments (TCCOG) is a member of the Economic Development Collaborative, which is currently working to address the goals of the County's Economic Development Strategy, and

WHEREAS, the Economic Development Collaborative has suggested the creation of an updated, County-wide evaluation of existing water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needed to support planned future growth to meet housing and economic development goals, and

WHEREAS, the last County-wide evaluation of water and sewer infrastructure was completed in 1994, and

WHEREAS, an updated evaluation would facilitate the development of housing within town and village centers, commercial revitalization of those centers and growth in the tax base, with the most efficient use of public dollars for infrastructure, and

WHEREAS, the result of this evaluation will be a report that is available for all municipalities to use in their planning of infrastructure development, but that no actual investment in water or sewer facilities is included in this project, and

WHEREAS, the County of Tompkins, on behalf of TCCOG, applied for and was awarded a grant known as Shared Municipal Services Incentive (SMSI) grant from the State of New York, to conduct a County-wide evaluation of water and sewer infrastructure and develop a conceptual plan, and

WHEREAS, the TCCOG unanimously adopted this resolution on September 25, 2008 and directed that it to be forwarded to municipalities for consideration and approval by local municipal boards, and

WHEREAS, the Tompkins County Legislature adopted Resolution No. 186 of 2008 on September 16, 2008, that authorized the acceptance of this grant in the amount

of \$82,245.24 for the purpose of conducting a County-wide evaluation of water and sewer infrastructure and to develop a conceptual plan, now therefore be it

RESOLVED, That the Village of Lansing, by adoption of this resolution, declares its intent to support the development of a County-wide evaluation of water and sewer infrastructure and the development of a conceptual plan of water and sewer infrastructure needed to support planned future growth to meet housing and economic development goals,

RESOLVED, further, That the Village of Lansing pledges to work with the Economic Development Collaborative to ensure cooperation of members' planning and engineering departments with this project, providing information and documentation requested by the consultant team, led by TG Miller, including but not limited to:

- Current rated capacity of water and wastewater treatment systems from existing SPDES (State Pollution Discharge Elimination System) permits and facility plans
- Electronic files or paper copies of maps showing current water distribution and/or sanitary sewer collection systems
- Recent studies of water and sewer facilities
- Treatment processes, mechanical and other systems related data
- Scheduled or anticipated system upgrades or new construction
- Historical problems and obstacles including operational difficulties, regulatory compliance, land use restrictions, public impact and complaints, and funding
- Current population served by the utilities including number of service connections
- Anticipated population growth rate for the next ten years
- Existing or planned funding sources that may be available, and

Statement of need:

Increasing housing supply and revitalization of commercial districts are two of the Tompkins County Economic Development Strategy's three goals. Both require improvements to water and sewer infrastructure, especially in the non-urbanized areas of the county. The proposed infrastructure study is, therefore, an integral step to achieving affordable housing and revitalization goals. In particular, to provide for housing to be reasonably affordable, housing requires density. Continuing to build individual homes on 1-2 acre lots is not an affordable approach to providing housing. Dependable water and sewer infrastructure is also critical for revitalization of our town and village centers.

Preliminary scope of work:

A consultant will be hired to:

- Update the 1994 County-wide evaluation of water and sewer infrastructure working with local municipal staff.
- Prepare a conceptual plan of water and sewerage infrastructure, including potential service areas, to support future growth.
- Prepare preliminary costs to expand infrastructure to accommodate planned growth.

Work will reflect anticipated growth of the municipalities, local plans, and the Tompkins County Comprehensive Plan.

Trustee Leopold moved this resolution and Trustee Fresinski seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye
Trustee John O'Neill-No
Trustee Julie Baker-Aye

Trustee Larry Fresinski -Aye
Trustee Lynn Leopold-Aye

During Mayor's Comments, Don stated that he has not heard from Dave Putnam of T.G. Miller regarding recent negotiations with respect to the possible dedication of Northwoods Road to the Village. The paving that was done by the current owners was only a top coat, not a full paving. This will be similar to what is planned for Cayuga Heights Road, which will probably be completed this season. Major repaving will occur next year.

We have not figured out what to do about the speed table on Dart Drive. Larry commented that Harford has an electronic sign that is in color, which seems to work well. Oakcrest has a similar problem to Dart Drive.

The Mayor commented that they are making good progress on the Triphammer Road bridge. The Cayuga Heights Road bridge will be redone in 2013.

He mentioned that we need to have an executive session this evening regarding personnel issues and pending litigation.

During general discussion John O'Neill reported that he attended the recent Town Board meeting and it was apparent that the Town was very mad about the snow plowing issue. John will also speak with John Courtney about the poison weed, giant hogweed, that has been observed in the local area. It is in the same family as poison hemlock and is extremely aggressive and dangerous; Internet photos show people who have scarred, red bloody pits on their skin where it has come in contact with the plant. We need to find out how to eradicate this noxious weed should it be found in the village.

Regarding snow plowing, the Mayor said that this will not be a problem for us. We are arranging time to put a wing on the new truck and the small truck. The cost of \$18,000 for both wings will be recovered in the first year of the Village's snow plowing program. John O'Neill volunteered to help with sidewalk clearing.

Lynn Leopold reported that she had tried to get The Shops at Ithaca Mall to adopt the landscaping for the area at the entrance of the mall. They are having trouble with their landscape contractor; so Lynn did the weeding today. The Mall probably won't be able to take care of this area next year.

Motion- To Go Into Executive Session for Personnel Issues 8:50 p.m.

Trustee Fresinski moved to go into executive session with respect to personnel matters related to one or more employees and pending litigation.

Trustee O'Neill seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Larry Fresinski -Aye
Trustee John O'Neill-Aye	Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye	

Motion- To Come Out of Executive Session 9:27

Trustee Fresinski moved to come out of executive session. Trustee Leopold seconded the motion. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Larry Fresinski -Aye
Trustee John O'Neill-Aye	Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye	

It was explained that after the recent recommendation to the Board of Trustees to change the Planning Board's second monthly regular meeting to the fourth Tuesday as opposed to the last Tuesday, it was discovered that this would cause an unanticipated scheduling problem. Therefore, the Planning Board has requested that the Board of Trustees adopt a new resolution to annul their recently adopted resolution and thereby go back to the previous Planning Board meeting schedule.

Resolution #5557- To Set the Planning Board Meeting Schedule to be the Second Monday and Last Tuesday of Each Month.

Trustee Leopold moved this motion, Trustee O'Neill seconded. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Larry Fresinski -Aye
Trustee John O'Neill-Aye	Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye	

Lynn reported that she would not be able to attend the Planning Board meeting on Tuesday. Julie volunteered to attend the meeting in Lynn's place.

Motion- To Adjourn

Trustee Fresinski moved for adjournment. Trustee Leopold seconded the motion to adjourn. A vote was taken:

Mayor Donald Hartill-Aye	Trustee Larry Fresinski -Aye
Trustee John O'Neill-Aye	Trustee Lynn Leopold-Aye
Trustee Julie Baker-Aye	

The meeting adjourned at 9:30 pm.

Julie Baker
Trustee